



Te Kaunihera-ā-Rohe o Ngāmotu

New Plymouth District Council

4(b)

RESOURCE CONSENT LUC24/48514

Granted under Sections 95, 95A, 95B, 104, 104C and 108 of the Resource Management Act 1991.

Applicant:	GJ Gardner Homes Ltd
Location:	75 Kelly Street, Inglewood
Legal Description:	Lot 1 DP 594937
Proposal:	Development for More than Three Residential Units Per Site and Earthworks
Status:	The proposal is subject to Rule Res47 and is a Restricted Discretionary Activity under the Operative District Plan (2005) The proposal is subject to Rules GRZ-R11 and EW-R13, and Effects Standard EW-S2 and is a Restricted Discretionary Activity under the Proposed New Plymouth District Plan: Appeals Version (3 April 2025)

DECISION:

In accordance with Section 104 and 104C of the Resource Management Act 1991, consent is granted to construct four residential units and undertake associated earthworks, for the reasons discussed in the planner's report as summarised below:

1. The effects of the proposal on the environment will be no more than minor;
2. The proposal is consistent with the relevant objectives and policies of the Proposed District Plan, Regional Policy Statement and all other relevant matters.
3. The proposal meets the Purpose of the Resource Management Act.

Subject to the following conditions imposed under Section 108 of the Resource Management Act 1991:

1. The use and development of the land shall be as described within the application, including the original application dated 28 May 2024, except where superseded by additional/amended information provided by email 6 September 2024, 23 October 2024 11:36am and 12:59pm, 28 November 2024 and 5 February 2025.
2. The use and development of the land shall also be in accordance with the plans prepared by GJ Gardner, Project No. 24-33, dated 15/08/2024:
 - 'Site Plan' – Sheet 01, RevB;
 - 'Elevations' (Units 1 & 2) – Sheet 03, RevB;
 - 'Elevations' (Units 3 & 4) – Sheet 04, RevB;
 - 'Floor Plan' (Units 1 & 2) – Sheet 05, RevB; and
 - 'Floor Plan' (Units 3 & 4) – Sheet 06, RevB;

- 'Land Use Plan' by GJ Gardner, Project No. 24-33, Sheet 02, RevB, dated 4/09/2024;
 - and
 - Development Concept Plans (x2) (undated) attached to the email from McKinlay Surveyors dated 5 February 2025.
3. The planting and any other landscaping shown on the 'Landscape Concept Plan' by Natural Capital, Plan No. L1.01, RevA, dated 5 Feb 25, including location, indication of species and other development notes provided by email dated 5 February 2025 shall be undertaken prior to application for Code Compliance Certificate for all four dwellings, or the last dwelling if applied for separately.
 4. Total impervious surfaces on the site shall be as stated and shown on 'Land Use Plan' by GJ Gardner, Project No. 24-33, Sheet 02, RevB, dated 4/09/2024'.
 5. The earthworks shall be undertaken as per the earthwork plans prepared by McKinlay Surveyors, Job No. G-240509, dated 27/08/24:
 - 'Earthworks Volumes Removal of Uncontrolled Fill', Drawing No. EW01, Sheet 1; and
 - 'Earthworks Volumes to Create Building Platform Following Removal of Uncontrolled Fill', Drawing No. EW01, Sheet 2.
 6. At least 10 working days prior to the commencement of any work, the consent holder must submit an Earthworks Management Plan (EMP) for approval by the New Plymouth District Council Monitoring Officer or nominee, containing best practice measures for preventing erosion and minimising the escape of silted water, sediment or dust from the site during any earthworks or construction. The EMP must include, but not be limited to, the following:
 - (a) existing and proposed contours;
 - (b) areas, heights and quantities of cut and fill;
 - (c) any batter slopes;
 - (d) ground stabilisation measures.
 - (e) proposed erosion and silt/sediment controls;
 - (f) dust management measures;
 - (g) stabilised construction entrance(s);
 - (h) measures for preventing tracking of material onto the road network, and if any occurs measures to clean up such material;
 - (i) subsoil drainage;
 - (j) measures to prevent runoff into adjacent waterbodies; and
 - (k) the timeframe expected for ground to be exposed and the corresponding length of time these measures will be required.
 7. The management of earthworks and mitigation measures prescribed in the EMP approved under Condition 5 above must be implemented for the duration of the earthworks and construction works and remain in place until such time as exposed ground areas are stabilised and vegetated, metalled or built over.

Advice Note:

Council's 'A Guide to Sediment Control on Building Sites' brochure provides a starting point on sediment control measures:

<https://www.npdc.govt.nz/media/vsqj3paz/a-guide-to-sediment-control-on-building-sites.pdf>

8. The consent holder shall contact the Council's Development Engineer (DevelopmentEngineers@npdc.govt.nz) and Monitoring Officer (PlanningConsents.Monitoring@npdc.govt.nz) or on 06 759 6060 **at least 48 hours prior** to any physical works commencing on the site and advise the officers of the date upon which

works will commence quoting consent references LUC24/48514 and SUB24/50086 and the property address.

9. Excavation works associated within the subdivision must be kept wholly within the boundary of the subdivision.
10. Despite the silt/sediment control measures required under Conditions 4-8 above, should any silt/sediment deposits inadvertently escape into the Council stormwater reticulation system, they shall be cleared after completion of the earthworks at the developer's cost and to the satisfaction of Council.
11. Where retaining walls are abutting a boundary, the boundaries shall be confirmed by a licenced surveyor.
12. The retaining walls and attached fencing along the road boundaries shall be no more in combined height than the existing boundary treatments (retaining and fencing), including 1.0m maximum high timber fencing, in accordance with the application and as shown on development concept plans (x2) attached to the email from McKinlay Surveyors, dated 5 February 2025.
13. The consent holder shall pay the Council's costs of any monitoring that may be necessary to ensure compliance with the conditions above.

General Advice Notes

1. *This consent lapses on **8 APRIL 2030** unless the consent is given effect to before that date; or unless an application is granted before the expiry of that date under section 125 of the Resource Management Act 1991 to extend the expiry date.*
2. *This consent is subject to the right of objection as set out in section 357A of the Resource Management Act 1991.*

DATED: 8 April 2025



Richard Watkins
PRINCIPAL PLANNER